



January 21, 2016

Hon. Maura Healey  
Office of the Attorney General  
c/o DFS Regulations  
One Ashburton Place  
Boston, MA 02108

**Re: Comment on Daily Fantasy Sports Proposed Regulations**

Dear Attorney General Healey:

EZFantasy, LLC (EZF) hereby submits its comments on 940 C.M.R. 34.00. EZF is a new Daily Fantasy Sports Operator (DFS Operator) based in Minnesota. While EZF respectfully disagrees with your characterization of Daily Fantasy Sports as gaming, it applauds your desire to codify consumer protections for the industry. EZF built its platform with consumer protections as a top priority, as it believes such protections create a better user experience for customers and protect the integrity of the product. In fact, EZF's platform currently complies with all but a few provisions of the proposed regulations.

EZF does not offer games exclusively for Beginners<sup>1</sup> and as such, does not have protections in place to prevent Highly-Experienced Players from participating in Beginner Games<sup>2</sup>. EZF shares your desire to limit the impact of Highly-Experienced Players, but suggests that an alternative option be made available to DFS Operators. EZF runs all of its contests with complete user anonymity until the contests have locked. Users simply cannot see the usernames of other entrants until the contests are already in progress. Moreover, EZF does not collect user statistics that Highly-Experienced Players use to target Beginners. This level of anonymity creates a level playing field and helps to prevent collusion.

In EZF's professional opinion, creating games that are limited to Beginners may entice Highly-Experienced Players to find ways into such games. EZF also questions whether DFS Operators will be able to police Beginner Games effectively. EZF respectfully asks you to consider allowing DFS Operators the option of using an anonymous user model to achieve the same goals.

EZF also has concerns related to limiting DFS Consumer deposits to \$1,000.00 per calendar month<sup>3</sup>, unless a DFS Consumer can prove to the DFS Operator that they can afford losses that might result from gameplay.<sup>4</sup> First, EZF questions whether the deposit limit will effectively limit DFS

Consumer spending, when consumers will be able to switch to another DFS site to make additional deposits. Second, EZF hesitates to put itself in the position of subjectively judging a DFS Consumer's ability to afford losses. In an effort to mitigate data privacy risks, EZF has specifically limited the amount of personally identifiable information that it gathers on its users. Evaluating a consumer's income and assets would require DFSOs to collect more personally identifiable information, and thus increase data privacy risks for the DFSO and the consumer. EZF respectfully asks you to reconsider the limitations on consumer deposits, or alternatively, provide guidance on how DFSOs can more objectively evaluate whether a DFS Consumer can afford losses without significantly increasing data privacy risks.

Thank you for the opportunity to comment on 940 C.M.R. 34.00. Once again, EZF applauds your efforts to codify consumer protections that will bring stability to the industry and provide a better user experience. If you would like to discuss EZF's platform, consumer protection practices, or comments in further detail, please do not hesitate to contact me.

Sincerely,



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<sup>1</sup> 940 C.M.R. 34.12(5).

<sup>2</sup> 940 C.M.R. 34.12(6).

<sup>3</sup> 940 C.M.R. 34.10(6).

<sup>4</sup> 940 C.M.R. 34.10(6)(a).